



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Confirmation No.: 9303

JOHN S. HENDRICKS ET AL.

Group Art Unit: 3621

Application No.: 09/289,957

Examiner: WINTER, John M.

Filed: April 13, 1999

Attorney Docket No.: 026880-00024

For: ELECTRONIC BOOK ALTERNATIVE DELIVERY SYSTEM

TERMINAL DISCLAIMER UNDER 37 C.F.R. § 1.321

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

September 28, 2007

Sir:

Petitioner, **DISCOVERY COMMUNICATIONS, INC.**, having its place of business at **One Discovery Place, Silver Spring, MD 20910**, represents that it is the assignee and owner of all right, title and interest in and to U. S. Patent Application Serial No. **09/289,957**, filed **April 13, 1999**, for **ELECTRIC BOOK ALTERNATIVE DELIVERY SYSTEM**, the assignment for the application being recorded in the Patent and Trademark Office on May 13, 1999, at Reel 9946, Frame 0297.

Petitioner is also the assignee of all right, title, and interest in and to **U. S. Patent No. 5,986,690**, filed **November 7, 1994**, for **ELECTRONIC BOOK SELECTION AND DELIVERY SYSTEM**, the assignment of this Patent being recorded in the Patent and Trademark Office on December 16, 1994 at Reel 007242, Frame 0392.

Petitioner hereby disclaims the terminal part, if any, of a patent granted on U.S. Patent Application Number **09/289,957**, which would extend beyond the expiration date of U.S. Patent No. **5,986,690**, further, such patent shall be enforceable only during such

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period that the legal title to such patent shall be the same as the legal title to U.S. Patent No. **5,986,690**, this agreement to run with the patent granted on U.S. Patent Application Number **09/289,957**, and to be binding on its grantee, its successors, or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent No. **5,986,690** in the event that it later:

- expires for failure to pay a maintenance fee;
- is held unenforceable;
- is found invalid;
- is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a);

- has all claims cancelled by a reexamination certificate; or
- is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The undersigned on behalf of petitioner, **DISCOVERY COMMUNICATIONS, INC.**, hereby states and declares that I have the authority to execute this Terminal Disclaimer on behalf of the petitioner.

Respectfully submitted,

DISCOVERY COMMUNICATIONS, INC.

A handwritten signature in black ink, appearing to read 'W. Chesser', with a long horizontal flourish extending to the right.

Wilburn Chesser
Registration No. 41,668